

**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q64293

Moshe WEINER

Appln. No.: 09/915,563

Group Art Unit: 2131

Confirmation No.: 7523

Examiner: Shahin MIZAN

Filed: July 27, 2001

For: FREE- HAND MOBILE MESSAGING - METHOD AND DEVICE

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Moshe Weiner, hereby declare and state as follows:

1. I am the inventor named in the above-captioned U.S. Application No. 09/915,563, filed July 27, 2001, which claims priority to U.S. Provisional Application No. 60/286,536, filed April 27, 2001.

2. At the time I invented the present invention, I was employed by COMVERSE NETWORK SYSTEMS, LTD. (hereinafter "Comverse").

3. Prior to March 14, 2001, the U.S. Filing Date of U.S. Patent No. 6,766,177, the invention as described and claimed in the above referenced application was completed at Comverse, as evidenced by the following:

4. Prior to March 14, 2001, having earlier conceived the idea as set forth in the specification of the above referenced application, the present invention was presented by me

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during the course of my employment at Comverse in the form of a slide presentation as shown in Exhibit A. The presentation was made in January of 2001.

5. Exhibit A is a 13-slide presentation, written and presented by me in January of 2001. Exhibit A includes subject matter that supports at least independent claims 1, 17, 19, 22, 29, 30, 34, 36, 43, 48, and 49.

6. From January of 2001, I continued to diligently work on reducing the invention to practice.

7. In the ordinary course of business and in due time, I prepared an invention disclosure and submitted the invention disclosure on March 5, 2001 to Hananel Kvatinsky, Director of Intellectual Property for Comverse, for the purpose of filing a provisional application in the United States. A copy of the email from me to Mr. Kvatinsky is provided in Exhibit B. The email included three attachments: the invention disclosure provided in Exhibit C; a flow chart provided in Exhibit D; and background questions provided in Exhibit E.

8. In the ordinary course of business and in due time, I revised the invention disclosure and submitted the revised invention disclosure on March 29, 2001 to Mr. Kvatinsky. A copy of the email from me to Mr. Kvatinsky is provided in Exhibit F. The email include two attachments: the revised invention disclosure provided in Exhibit G and a revised flow chart provided in Exhibit H.

9. In the ordinary course of business and in due time, Comverse sent a request to Mr. William Mandir of SUGHRUE MION, PLLC of Washington, D.C. requesting the preparation

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and filing of a provisional patent application with the U.S. Patent and Trademark Office. The provisional patent application was then filed on April 27, 2001.

10. In view of the foregoing, it is clear that I, the named inventor of the above-captioned application, invented the subject matter of the claims prior to the March 14, 2001 U.S. filing date of U.S. Patent No. 6,766,177.

I hereby declare further that all statements made herein are of my own knowledge and are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 22<sup>nd</sup> June 2006

  
Moshe Weiner